

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

MAY 22 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NATIONAL LABOR RELATIONS  
BOARD,

Petitioner,

INTERNATIONAL ASSOCIATION OF  
BRIDGE, STRUCTURAL,  
ORNAMENTAL, AND REINFORCING  
IRON WORKERS, LOCAL 229, AFL-CIO,

Intervenor-Pending,

v.

PRO WORKS CONTRACTING, INC.,

Respondent.

No. 18-70905

NLRB Nos. 21-CA-161599

21-CA-162578

National Labor Relations Board

ORDER

Before: THOMAS, Chief Judge, W. FLETCHER and CALLAHAN, Circuit  
Judges.

The motion of Iron Workers Local 229 to intervene (Docket Entry No. 4) is  
granted.

The application of the National Labor Relations Board for enforcement of its  
December 13, 2017 order (Docket Entry No. 1) is granted. Unless objections as to  
form are received within fourteen days of the date of this order, the form of  
judgment submitted at Docket Entry No. 2 will be the judgment of the court.

The Clerk will serve the proposed judgment submitted at Docket Entry No. 2

on respondent at the following addresses:

10612 Prospect Ave., Ste. 105  
Santee, CA 92071

and:

3442 Gird Road  
Fallbrook, CA 92028

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	No.
Petitioner	:	
v.	:	Board Case Nos.
	:	21-CA-161599
PRO WORKS CONTRACTING, INC.	:	21-CA-162578
	:	
Respondent	:	

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Pro Works Contracting, Inc., its officers, agents, successors, and assigns, enforcing its order dated December 13, 2017, in Case Nos. 21-CA-161599 and 21-CA-162578, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Pro Works Contracting, Inc., its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).

Endorsed, Judgment Filed and Entered

/s/ Molly Dwyer  
Molly Dwyer  
Clerk

## NATIONAL LABOR RELATIONS BOARD

v.

PRO WORKS CONTRACTING, INC.,

**ORDER**

Pro Works Contracting, Inc., Santee, California, its officers, agents, successors, and assigns shall take the following affirmative action necessary to effectuate the policies of the Act.

Post at its Santee facility copies of the attached notice marked "Appendix," in English and Spanish and signed and dated by Earl Register (Owner), for 60 consecutive days.

Mail, at its own expense, the attached notice, in English and Spanish and signed and dated by Earl Register, to all current employees and all former employees employed at any time since September 1, 2015.

During the 60-day posting period, have Earl Register read the notice, in English, to all current employees convened at the Respondent's facility located at 10612 Prospect Avenue, Suite 105, Santee, California. This reading will occur during the employees' regular work time. The date of the scheduled reading must be approved by the Regional Director for Region 21. The Respondent will notify employees, in writing, at least 5 days before the scheduled reading, as to the location, time, and date of the reading. The written notification will also inform employees that they will be paid their regular hourly rate/salary for the time it takes employees to travel to/from the reading location, as well as for the time they are at the office for the reading. The Respondent will provide Region 21 with a copy of the draft notification letter before sending it to employees. The draft must be approved by the Regional Director for Region 21 before the final version is sent to employees. A Board agent will be present during the reading. After Earl Register reads the notice to employees in English, the Board agent will then read the notice in Spanish.

Within 21 days after service by the Region, file with the Regional Director for Region 21 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

## APPENDIX

### NOTICE TO EMPLOYEES

POSTED AND MAILED PURSUANT TO A JUDGMENT OF THE  
UNITED STATES COURT OF APPEALS ENFORCING AN  
ORDER OF THE NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

#### **FEDERAL LAW GIVES YOU THE RIGHT TO**

Form, join or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT interrogate employees about their union activities or support.

WE WILL NOT, unless required by a general contractor, require employees to wear vests at projects so as to cover up union insignia they are wearing, or inform employees that they have to wear vests to cover union insignia.

WE WILL NOT assign employees more onerous work duties (such as bending z-bars or punking rebar) because of their union activities or support

WE WILL NOT threaten to isolate, discipline, or terminate employees because of their union activities or support.

WE WILL NOT direct employees to report the union activities or sympathies of other employees to us.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

PRO WORKS CONTRACTING, INC.

The Board's decision can be found at [www.nlrb.gov/case/21-CA-161599](http://www.nlrb.gov/case/21-CA-161599) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

